

**FILED**

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**2019 OCT 17 P 3 17**

**CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA**

**EMMANUEL OGEBE,**

**Plaintiff,**

**v.**

**DOW JONES & COMPANY, DREW  
HINSHAW, JOE PARKINSON, AND  
GBENGA AKINGBULE,**

**Defendants.**

**Civil No. 1:19-cv-00426-LO-IDD**

**CONSENT MOTION TO:**

**1. RESET MOTION TO DISMISS HEARING & RESPONSIVE DEADLINES AND**  
**2. EXCEED THE NUMBER OF PAGES AND APPROVE AUDIOVISUAL EXHIBITS**

Pursuant to Federal Rules of Civil Procedure 6(b), 16(b)(2), and 26(f)(1) and Local Civil Rules 7 and 26, Plaintiff Ogebe brings a Motion to Reset Hearing and Responsive Deadlines and to exceed the number of pages and allow audiovisual exhibits and states thus:

1. Plaintiff Emmanuel Ogebe, who is proceeding in this matter *pro se*, commenced this action on April 10, 2019. Dkt. 1. After receiving an extension from the Court, Dkt. 11, WSJ filed its Motion to Dismiss on July 24, 2019, Dkt. 17. Defendants Hinshaw and Parkinson joined in the WSJ Motion to Dismiss on July 30, 2019. Dkt. 28.

2. On August 30, 2019, Plaintiff also filed on paper at the Clerk's office a document styled as a "Motion on Notice to Subpoena Evidence from Mrs. Deanna Gelak." *See* Dkt. 50. On September 6, Plaintiff noticed a hearing on this Motion for October 11, 2019. Dkt. 53.

3. On October 1, just as Plaintiff was traveling out of town, the Court dismissed the Plaintiff's Motion to Subpoena evidence and ordered scheduling of the Defendants' Motion to Dismiss. *See* Dkt 65.

4. The same day, the Court scheduled the MTD hearing for November 8, 2019.

5. Plaintiff returned to town last week as scheduled for the Subpoena hearing now overtaken by events and had to prepare for his defamation lawsuit against the government of Nigeria which came up this week in Nigeria.

6. Plaintiff had been unable to travel for that hearing due to the scheduled Subpoena hearing on October 11 and had to be remotely available to his counsel in that matter.

7. In addition, given the fact that Monday was a public holiday and that following the denial of Plaintiff's subpoena motion, Plaintiff will be requisitioning evidence from the current action in Nigeria to respond to the MTD, it is needful to seek:

- i. New Responsive Deadlines
- ii. New Hearing Date
- iii. Extra pages in reply
- iv. Audiovisual Exhibits

8. No deadlines have expired and no party will be prejudiced by the granting of this motion.

9. There are reasonable grounds for the granting of this motion

10. Plaintiff and Defendants' counsel conferred about the above and Defendants consented to the relief Plaintiff seeks. Regarding the audiovisual exhibits, Defendants' counsel advised that Defendants consent to their filing only and reserve any objections and opposition to them.

11. Plaintiff requests that the Court:

- i. Reset the Responsive Date for Plaintiff to file his Opposition Memo on or before October 28, 2019 and Defendants to file their Reply on or before November 11, 2019
- ii. Reset the Hearing of the Motion to Dismiss to November 15 or 22 2019 (Plaintiff

will be back in the country from November 14-24, 2019) Approve 15 pages in excess of the set limit for Plaintiff's Response

iii. Approve the three audio visual exhibits for Plaintiff's Response

Wherefore, Plaintiff respectfully requests, with Defendants' consent, that the Court enter an order resetting the responsive deadlines and hearing on the Motion to Dismiss for one of those two dates, whichever is more convenient for the Court, and approve 15 additional pages and three audio visual exhibits for Plaintiff's Response.

Dated: October 17, 2019

#### CERTIFICATION

I HEREBY CERTIFY that on this \_th day of September, 2019, I caused a copy of the foregoing to be filed with the Clerk of Court who will then send a notification of such filing to all interested parties. Further, no attorney assisted me with the preparation of this reply.

EMMANUEL OGBE

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